

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DANNY DELACRUZ,

Plaintiff,

-against-

OTIS BANTUM CORRECTIONAL
FACILITY, et al.,

Defendants.

24-CV-9617 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated December 18, 2024, the Court directed Plaintiff, within thirty days, to submit a completed request to proceed *in forma pauperis* (“IFP application”) and prisoner authorization or pay the \$405.00 in fees required to file a civil action in this court. That order specified that failure to comply would result in dismissal of the complaint. On January 7, 2025, the Court received notification from the U.S. Postal Service that the December 18, 2024 order was undeliverable. Plaintiff has not filed an IFP application and prisoner authorization, paid the fees, or otherwise communicated with the court. Accordingly, the complaint is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Court directs the Clerk of Court to enter judgment in this case.

SO ORDERED.

Dated: January 27, 2025
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge